

10 November 1983

WASHINGTON

JUDGE SAYS CENSORED MATERIAL SHOULD BE AVAILABLE
BY GUY DARST

A judge Thursday ordered the CIA to reveal large portions of censored material in the case of a historian researching the disappearance of an opponent of the Trujillo regime.

U.S. District Judge Harold Greene, dissatisfied with CIA affidavits on why the censored material had to be withheld, examined every item in 14 volumes of documents sought by Alan L. Fitzgibbon, an historian researching a book about the disappearance of Jesus de Galindez in New York City in 1956. Greene was often critical of the CIA's reasons for censoring the items.

Galindez, a teacher at Columbia University, had published several articles in Latin America highly critical of the regime of Rafael Trujillo in the Dominican Republic.

Trujillo was assassinated in 1961.

Galindez also was the U.S. representative of the government-in-exile of the separatist movement of the Basques in Spain, and was an FBI informant. He was last seen by a student who dropped him off at a subway station.

Colleagues said he was killed on Trujillo's orders with the unwitting help of an American pilot, Gerald Murphy, who was found dead in the Dominican Republic. But Galindez' disappearance remains unsolved.

The judge's order required the CIA to restore all or part of 208 pieces of excised material out of 522 in question.

In those cases, Greene said, the agency had failed to show that disclosure would harm the national security, foreign relations, infringe on the privacy rights of individuals or compromise the agency's sources and methods of operations.

The judge cited examples of what was withheld. He said the CIA's help to Galindez' Basque colleagues in recovering the personal files of the missing man from the New York City police "cannot be regarded as a relationship with a foreign intelligence service." The CIA sought to keep the information secret on those grounds.

"Certainly no New York official or police officer is a foreign intelligence service," he wrote.

Also, though the agency sometimes may withhold material already published elsewhere, it cannot now keep secret information revealed by the Senate assassinations committee in 1975 such as the fact that the CIA had a station in Santo Domingo, Green said.

Greene said three censored items he was supposed to review had not been provided to him and therefore, since the CIA had "failed to meet its burden" with respect to those, he was ordering them released to Fitzgibbon without having seen them.

STAT